

Clarification-II to the Bidders
Bid Identification No. and Title: NEA/PP/2022-01 “Purchase of Power by NEA”

| S.N. | Company Name | Query/Suggestion | Clarification by NEA |
|------|--------------|---|---|
| 1 | PTC INDIA | Eligibility: Only Category I Traders having valid trading license issued by Central Electricity Regulatory Commission (CERC) with experience of Cross Border Trading, Government of India are eligible to participate. | Please refer to the Addendum – I. With regard to CERC’s GNA Regulations, it will be the responsibility of the Prospective Bidders to confirm whether India’s rules/regulations allow or prohibit them for participation in Cross Border Power Trade. |
| 2 | | Only one Bid: The bidder shall purchase and submit only one Bid in its own name. Joint Venture and consortium Bids are not permitted. | Please refer to the Bid Document. |
| 3 | | Force Majeure: Breakdown/shut down of power project due to any technical reason should also be considered under Force Majeure as such unforeseen breakdown are beyond the control of the developer. | Please refer to the Bid Document. |
| 4 | | Arbitration: As per the standard international contract, it is requested to change the proceeding of Arbitration in accordance with the Singapore International Arbitration Centre (SIAC) and laws of England. The same exist with our Agreement with Bhutan & Bangladesh also. | Please refer to the Addendum – I. |
| 5 | | Performance Security: | Please refer to the Addendum – I. |



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| | <p>NEA is requested to provide more time to sort out such issues, because in case there is some issues related to fuel availability/ technical issue with plant or any other issues. It may take some time to identify the real issue and addressing the same. 3 days is very limited time for any such issues to be resolved.</p> <p>Therefore, NEA is requested to extend the termination timelines to at least 30 days.</p> | |
| 6 | <p>Other Clarifications: Under Cross Border Trade Guidelines - 2018, there are certain conditions prescribed related to fuel etc. for export of power from India to neighboring countries. Such conditions may also be prescribed by NEA under the tender.</p> | <p>It will be the responsibility of the Prospective Bidders to be familiar with India's Guidelines/Regulations with regard to Cross Border Power Trade.</p> |



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